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William S. Cohen Toward Intelligence Oversight

This is not a happy hour in Washington. The hot breath of scandal hangs like summer smog over Congress. Charges of one member's private profit from his public office and another's personal gratification at public expense have electrified the House Ethics Committee into life, and this is as it should be; congressional abuse of power and public funds is a serious matter that cannot be permitted to go unchecked.

But an additional tragedy of the current controversy is that the balance of this session is likely to be spent attacking or defending congressional honor

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while our larger accomplishments are obscured and our major tasks go unfinished. Nowhere is this more apparent than in the matter of congressional oversight of our hydra-headed intelligence community.

One accomplishment which should not go unnoticed was the Senate's overwhelming vote to establish a strong new oversight committee; this was no small accomplishment because it came over the strong opposition of committee chairmen who supposedly had been scrutinizing the intelligence agencies over the years. The Senate leadership fashioned a compromise that gained the grudging support of a good many conservatives as well as most Senate moderates and liberals. It is by no means perfect in its structure or composition. Nonetheless, the new Senate committee is not designed to be a paper tiger, toothless and eager to purr contentedly in the cozy executive lap.

The committee has exclusive jurisdiction over the CIA, formerly the sole preserve of the Armed Services Committee. It will share authority with

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Armed Services over the huge defense intelligence establishment, including DIA and the National Security Agency. Similarly it will be able to scrutinize the intelligence activities of the FBI—a major source of past abuses. It will, in addition, share jurisdiction over the State Department's small but important Bureau of Intelligence and Research with the Senate Foreign Relations Committee.

But the new Committee's most powerful tool will lie not simply in its power to look over the agencies' shoulders, but rather in its power of the purse. The new committee has the power to authorize appropriations of funds for the intelligence agencies, a power that it shares with other committees for all but the CIA. The power to authorize carries with it the power and the obligation to know the agencies' purposes and pursuits. The Senate has achieved a responsible balance between the need for intelligence activity and the need for congressional oversight and restraint.

But while the "other body" has proved itself capable of action, we in the House are in woeful disarray. Our attempts at investigating the intelligence agencies have been marred by wholesale leaks and internecine squabbles. This unhappy fact was all too often noted by our Senate colleagues when the possibility of a joint House-Senate intelligence committee was under consideration. The fact that the Senate decided so decisively to go it alone is, regrettably, largely of our own doing.

What the Senate has produced is of great merit, but it is too little by half. The mechanics of the legislative and budgetary process cry for a parallel committee in the House of Representatives. With responsibility for the intelligence community passing through the prism of several committees in the House, no single committee can make a judgment on the intelligence budget as a single entity. Spending bills will continue to originate helter-skelter, only to be reviewed by a single unified committee in the Senate. That committee will, in resolving legislative differences with the House, go to conference with several different House committees. Never has the need for a new House committee on intelligence been more obvious. Yet 22 intelligence-oversight bills have been introduced in the House and none has reached the floor.

The time for us to act in the House of Representatives is now. We should establish a committee of the House that would have similar responsibilities and powers to the one recently set up by the Senate. Most importantly, it should be mandated to work closely with the Senate in the delicate area of its responsibilities. Perhaps it is not vain to hope that as memories of the false starts and leaks of the past year begin to fade and the new House committee proves it can work responsibly in the national interest, the ultimate goal can be achieved: a joint congressional committee on intelligence patterned along the lines of the Joint Energy Committee which has worked so well.

Meanwhile, if we can keep our eyes on the horizon of reform, perhaps what we one day will find is not a false vision or a handful of dust but the first sign of our willingness to change our own procedures for the common good.